

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 1:19cr00016

**INDIVIOR INC. (a/k/a Reckitt Benckiser
Pharmaceuticals Inc.) and
INDIVIOR PLC**

DEFENDANTS' MOTION FOR BILL OF PARTICULARS

Pursuant to Rule 7(f) of the Federal Rules of Criminal Procedure, and for the reasons set forth in the accompanying Memorandum, Defendants Indivior Inc. and Indivior PLC hereby move for an Order requiring the government to provide a bill of particulars identifying, separately and specifically for each of Indivior Inc. and Indivior PLC:

1. Every false or fraudulent statement or representation the government intends to introduce at trial;
2. The factual basis for the government's assertion that any such statement or representation is false or fraudulent;
3. Every action or communication supporting the claim that Indivior's marketing aided or abetted physicians in prescribing or dispensing Suboxone Film in a "careless and clinically unwarranted manner," including:
 - a. The identity of any relevant Indivior representatives;
 - b. The identity of any relevant physicians or other health care providers;
 - c. The details surrounding the alleged actions or communications that purportedly caused the relevant physicians to prescribe or dispense Suboxone Film in a "careless and clinically unwarranted manner";

- d. The basis for concluding that the prescribing or dispensing was “careless and clinically unwarranted”; and
 - e. The link between any false or fraudulent statements to the purported “careless and clinically unwarranted” prescribing practices;
- 4. The identity of all co-conspirators;
- 5. The nature of any agreement or agreements supporting the asserted conspiracy charge, including:
 - a. When the agreement took place (approximate month and year);
 - b. Where the agreement took place (the relevant judicial district); and
 - c. The identity of the individuals or entities entering into the agreement;
- 6. The specific overt acts committed in furtherance of the alleged conspiracy;
- 7. The locations to and from which each Here to Help call was made that allegedly resulted in a referral to Doctor A, including:
 - a. The specific location from which each referral call originated;
 - b. The location of the Here to Help call center where each referral call was answered; and
 - c. The location of the doctor’s office to which each referral was made;
- 8. Any actions attributable to Indivior PLC, including:
 - a. The dates of any purported fraudulent conduct;
 - b. The identity of any specific fraudulent documents reflecting action by Indivior PLC;
 - c. Any fraudulent statements attributable to Indivior PLC; and

- d. The factual basis for the government's assertion that any such statement or representation is false or fraudulent.

Dated: September 10, 2019

Respectfully submitted,

INDIVIOR INC. (a/k/a Reckitt Benckiser
Pharmaceuticals Inc.) and INDIVIOR PLC

/s/ Thomas J. Bondurant, Jr.

By Counsel

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing to be presented to the Clerk of the Court for filing and uploading to the CM/ECF system, which will send notification of such filing to all counsel of record, on this 10th day of September, 2019.

/s/ Thomas J. Bondurant, Jr. _____

Counsel for Defendants